

REMARKS

Claims 1-49 were pending when the present Office Action was mailed on November 27, 2009. In this response, claim 6 has been amended to clarify certain features of this claim and to expedite prosecution of this application; the foregoing amendments are made without prejudice to pursuing these claims in unamended or other forms in a continuation or other application. No claims have been canceled in this response and no claims have been added in this response. Accordingly, claims 1-49 are currently pending.

In the Office Action dated November 27, 2009, claims 1-49 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

- (A) Claims 1-49 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,977,504;
- (B) Claims 1-13 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 7,026,927;
- (C) Claims 6 was objected to due to informalities.

A. Response to the double patenting Rejection of Claims 1-49 over claims 1-20 of U.S. Patent No. 6,977,504

Applicant respectfully submits herewith a Terminal Disclaimer under 37 CFR 1.321 over U.S. Patent No. 6,977,504 thus rendering the nonstatutory obviousness-type double patenting rejection moot.

B. Response to the double patenting Rejection of claims 1-49 over Claims 1-20 of U.S. Patent No. 7,026,927

Applicant respectfully submits herewith a Terminal Disclaimer under 37 CFR 1.321 over U.S. Patent No. 7,026,927 thus rendering the nonstatutory obviousness-type double patenting rejection moot.

C. Response to the Objection to Claim 6

Claims 6 was objected to due to informalities. Accordingly, claim 6 has been amended to clarify certain features of the claim and to expedite prosecution of this application thus rendering this objection moot.

Conclusion

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The Applicants accordingly request reconsideration of the application and respectfully submit that the application is in condition for allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Susan Betcher at (206) 359-8000.

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Respectfully submitted,

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